



Paper 11

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JUN 2 5 2004

OFFICE OF PETITIONS

In re Application of
Oliver Daude et al.
Application No. 09/515,780
Filed: February 29, 2000
Attorney Docket No.: FR9-99-001

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: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
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This is in response to the petition filed June 7, 2004, under 37 CFR 1.47(a).

The petition is **GRANTED**.

An oath or declaration executed by all named inventors was submitted upon filing the application however, the oath or declaration was rejected because it incorrectly identified the prior foreign application.

Petitioners have shown that after a diligent search, the non-signing inventor, Andrew Forth, cannot be located. Specifically, the affidavit of Patent Agent Francis Lammes outlines the efforts employed to locate a viable address for Mr. Forth since the letter sent to Mr. Forth at the last known address was returned undeliverable by the Royal Mail and no forwarding address has been provided. Copies of email inquiries to determine a more viable address as well as internet search records was submitted as proof that Mr. Forth could not be located and the proof submitted substantiates the claim that while diligent efforts have been made, joint inventor Andrew Forth cannot be located.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the declaration. Notice of the filing of this application will also be published in the Official Gazette.

A petition fee in the amount of \$130.00 is required for a petition under 37 CFR 1.47(a) and thus, pursuant to the authorization in the petition, has been charged to deposit account no. 09-0461.

The application is being forwarded to Technology Center 1743 for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions